App. F. IX-4

Previous References
CB. 166/3088 Pt

193/. (S+A)

File No. 470-30

Serial Nos. 1

Later References
S+A 505-30-2
S+A 303-31-"-
" 357-32-2
CB 44-34-1
S+A 107-35 (1-2)
CB 44-38-1
S+A 465-40 (1-3)
S+A 110-41-1
G.P. 171-44-1

Serial Nos. One

General and Revenue Secretariat.

Part B for June 1931

SUBJECT.

Pension to the puisne profs of the High Court of Mysore

fo. No. Fe 9264-5 dt. 17.6.31

Directs that in the case of officers who have rendered aquali fying Service of not less than 25 years and who have also been profs of the High Court for not less than 3 years the maximum limit of pension will be Rs 6000/- per annum

H McDavies.

I Member to see.

Complimentary for kind perusal. If Mr. is no objection the matter may be considered again.

MR. JUSTICE D. K. RAMA RAO.
VENKATA VILAS,
MALLESWARAM,
BANGALORE.

DEWAN'S OFFICE
M. 774
25. MAY 1931

23rd May 1931

My dear Sir,

Dr
24-5-31

Vide note of 25/5/31

In connection with my personal interview, Kindly permit me to express once again my sincere thanks for your kindness & sympathy towards me all along.

The question of my pension, — I feel strongly, — is one that deserves your kind re-consideration. I have put in nearly 27½ years of service, of which as many as six years is on the High Court Bench, and it is not for me to speak of the service

I have rendered all these years. You will kindly see that a consideration of my long Service on the High Court Bench would place me on a different footing and would in my humble opinion justify a pension of Rs 500/- a month as being fair and equitable.

May I therefore request you to be pleased to accord to this question your sympathetic and favourable re-consideration.

With highest regards,

Yours sincerely

Mirza Ismail

Amin-ul-Mulk

Sir Mirza Muhammad Ismail, Kt, BA, O.B.E. etc.

Dewan of Mysore

(To be written on this margin.)

M.167

STRICTLY CONFIDENTIAL

DEWAN'S OFFICE 697 27 MAY 1931

25 MAY 1931

FIRST MEMBER OF COUNCIL.

NOTE.

Dated 25th May *193*1.

Reference:- Justice Mr. D.K.Rama Rao's letter dated 23rd May 1931 to the Dewan.

The difficulty in this case is that Justice Mr. Rama Rao has not rendered full 30 years' service and is not, therefore, entitled to a pension of Rs 500/- per mensem. I think in the case of Judges of the High Court some relaxation of the 30 years rule might be permitted. Officers who have rendered not less than 25 years' service and who have been Judges of the High Court for not less than three years may be allowed the maximum pension of Rs 6,000/- per annum.

MWC 25/5/31

Opinion in Council

The proposal of the First Member may be approved

25-5-31

DEWAN through Financial Secretary. 25.5.31

MWC 25.5.31

May I concur as a matter of routine

28.5.31

28/5/31

27/5

Extract from the Proceedings of the 875th *Meeting of the Council of His Highness the Maharaja, held at* ~~Bangalore~~ Mysore, *on the* 28th May 1931. *19*

Subject. - Clause v of the schedule

Request of Mr. D. K. Rama Rao, Puisne Judge, High Court, for grant of a pension of Rs.500/- per mensem, and the proposal of the First Member of Council that officers who have rendered not less than 25 years' service and who have been Judges of the High Court for not less than three years may be allowed the maximum pension of Rs.6,000/- per annum.

OPINION OF THE COUNCIL.

The proposal of the First Member may be approved.

(Signed) Mirza M. Ismail,

Dewan.

For favour of Final Note.

First Member.)

29/5/31

Signed Final Note is put up

Submn note put up.

31/5/31

"EXTRACT"

31-5-31

Chief Secretary to Government.

ND 433—GPB—1,000—1-9-26

Submitted to His Highness.

I submit herewith a Final Note by the **First** Member of Council **regarding pension to Puisne Judges of the High Court of Mysore,**

for His Highness' gracious approval.

Mirza M. Ismail

Dewan.

31-5-31

Final Note by the First Member of Council.

Subject:—

Pension to Puisne Judges of the High Court of Mysore.

In his letter dated 28th March 1931 Mr. C.S.Doraswamy Iyer, Chief Justice, recommended that the Puisne Judges of the High Court might be allowed a pension of Rs 6,000/- per annum for a service of 25 years, and that the ordinary rule insisting on 30 years' service need not be applied in their case. This recommendation was considered at the Council meeting on 1st May 1931 and it was proposed not to sanction it. Justice Mr. D.K.Rama Rao has again made representation in his letter dated 23rd May 1931 for the grant of a pension of Rs 6,000/ per annum and it was considered in Council on 28th May 1931. The Judges of the High Court are officers of high status and it is desirable to show them some special consideration in regard to their pension. It was accordingly resolved that officers who have rendered a total service of not less than 25 years and who have also been Judges of the High Court for not less than three years, might be allowed the maximum pension of Rs 6,000/- per annum. This resolution may be graciously approved.

Mysore,
30th May 1931.

MEMBER OF COUNCIL.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Pension to Puisne Judges of the High Court of Mysore.

Order.

~~KRM~~
1/6/31

C. Ly
Dr
3-6-31

RG
4/6/31

Subject. -

Pension to Puisne Judges of the High Court of Mysore.

(*)

31. All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members,

34. In all other cases, the files will first be circulated to the Members of Council at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before/after issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

R. Rangachar

Chief Secretary to Government.

Through the Secretary to Government,

Judl. ..... Department.

& Law

Dept. to Govt

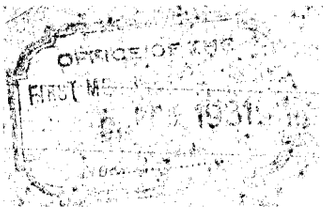
5/6/31

FIRST MEMBER OF COUNCIL. Rec'd at 6.10 P.M. 5.6.31

SECOND MEMBER OF COUNCIL.

THIRD MEMBER OF COUNCIL.

Serial No.



Submitted with a draft order. Since the ~~Service~~ total Service contemplated in the Submission note is qualifying Service this may perhaps be made clear in the order.

~~The words~~ Item III of Clause (d) of Art 336 M.S.R. viz proof of special energy and efficiency as a qualification for the Concession may also be prescribed perhaps

M
5.6.1931

This is for order

Yes
h
A.D
5.6.31

What applies to Chief Justice members of Council would appear to be applicable to the Judges of the High Court also.

A.D
5.6.31

Draft order put up.

Draft case stated will be put up.

A.D
5.6.31

This is contained in the

h

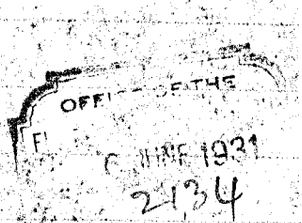
H Secy

Draft issued.

(1st member) h
5/6/31

Hon Justice Mr Ramachandra 25 years qualifying Service ?

(Mill



Sir till receipt of reply from the Comptroller who is addressed in the matter vide no Fl 36 dt 7.6.31

M
7.6.31

To.

1 S. Shanmanna Esq no. Fl 36 & 7.6.31 7.6.31

Requests to be informed of the total qualifying service.

From

2 The Secretary no. Per 2664 & 16.6.31

States that the qualifying service works up to 24 years 10 mths + 19 days as noted below.

NOTE—Contn. Sheet.

WD 02553—G PB—50,000—8-7-30

The Compln. upholds that J.M. D.K. Rama Rao has put in 24 Yrs. 11 Mths. 19 days qualifying service, besides 2 Yrs. 4 Mths. & 13 days service as probationer. But the latter is not to count under the rules, there are several precedents for treating about half this period as qualifying. In any case as the deficiency to make up 25 Years qualifying service is one month & 11 days, condoning which is permissible under the rules, it may be considered that he has 25 years qualifying service this court.

2339 16/6

V.P. - member) 16/6/31

A I agree

Draft may issue

Mukherji 16/6/31

Issued. No H. 9264-5 D 17-6-31

raises the maximum of pension to Rs 6000 in the case of Judicial Officers, subject to certain conditions

B

VW 16/7

Amendment incorporated in the reprint

M 20.6.31

Do. No. Fl. 36

Camp., Mysore

7th June 1931.

Dear Mr. Shamanna,

As you are aware, Justice Mr. D. K. Rama Rao is due to retire on the 20th instant. Will you kindly let me know what his total qualifying service is? He entered service as a Judicial Probationer. Whether the period of service rendered as Probationer qualifies under the rules, may also be stated.

An early reply is requested.

Yours sincerely,

S. Shamanna, Esq., B.A.,
Comptroller to Government,
(Camp) MYSORE.

No. Pen. 2664 Bangalore, dated 16th June 1931.

FINANCIAL 17 JUNE 1931 7563 GENL. P.

16 JUNE 1931

From

S. SHAMANNA, Esq., B.A.,
Comptroller to the Government of
His Highness the Maharaja of Mysore,
Bangalore.

To

Rajasevaparayana
B. Srinivasa Iyengar Esq., B.A., B.L.,
Secretary to the Government of Mysore,
Financial Department, Bangalore.

Sir,

With reference to your D.O. letter No.36 of the 7th instant, enquiring as to the total qualifying service put in by Justice Mr. D.K.Rama Rao, I have the honor to state that the qualifying service works up to 24 years 10 months and 19 days as noted below. This excludes the service rendered by him as Judicial Probationer which comes to 2 years 4 months and 13 days. From the Government Order No.Fl.2075-8 dated 10-2-1904 appointing him as Probationer it is seen that no vacancy was reserved for him and as such the period does not count for service under Art.253, Mysore Service Regulations.

There are precedents for Govt Condning half his period

I have the honor to be,
Sir,
Your mostobedient servant,

S. Shamanna
Comptroller.

Date of entry into service	18- 2-1904
Date of retirement	20- 6-1931
Total service	27 years 4 months 2 days
Deduct service as Probationer from 18-2-1904 to 30-6-1906	2 " 4 " 13 "
Deduct also Leave without allowance for 1 month not qualifying	0 1 0
Balance qualifying service	@ 24 years 10 months 19 days

@ This includes also 1 month 29 days furlough counting under Article 276 M.S.R.

SUBJECT .....

.....

.....

Diary No. of letter replied to.....

Sec. 8 A

File No: 470 -30

Serial No. 1

General and Revenue Secretariat

( )

the *193*

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read—

Date of issue 17.6.31

Signed by Mr B N. Raghavachar

May this be

(i) Printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

As an exception to Art 336 (b) M-Code

Order Thereon No. H 9264-5/D 17.6.31

Government are pleased to direct that ~~in the case of~~ in the case of Officers of ~~the Judicial Department~~ who have rendering ~~total~~ service of not less than 25 years and who have also been Judges of the High Court

for not less than 3 years
the maximum limit of
pension will be Rs 6000/-
per annum

Necessary application
M.S.R. ~~Final~~ will issue
separately.

5/6/31

AG 5.6.31 Financial Secretary

M 5.6.31

To The Comptroller
To The Registrar High Court

memo no
HG 266 Copy to Justice Mr. D.K. Rama Rao 5.6.31
17-6-31 the acting Chief Civil & Sessions Judge.

High Court
Bangalore

Mues 16/6/31

List of enclosure

Copied by

Examined by

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE.

Read~~xx~~

Order No.Fl. 9264-5/8A470-30-1

Dated, Bangalore the 17th June 1931.

As an exception to Article 336(b) Mysore Service Regulations Government are pleased to direct that in the case of officers who have rendered a qualifying service of not less than 25 years and who have also been Judges of the High Court for not less than 3 years the maximum limit of pension will be Rs.6000/- per annum.

for Financial Secretary to Government.

To

The Comptroller to Gover:

The Registrar, High Cour

Aga/4.

17.6